

ASSEMBLY, No. 1252

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman GARY S. SCHAER

District 36 (Bergen and Passaic)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Co-Sponsored by:

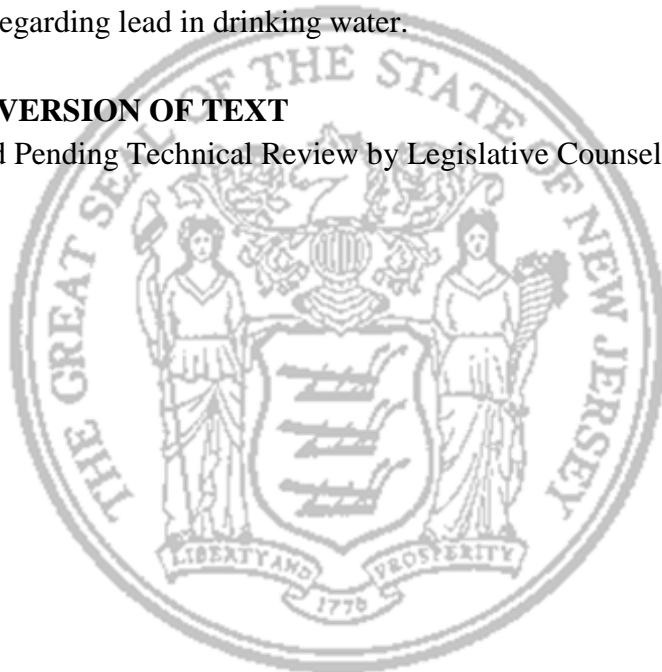
**Assemblyman DeAngelo, Assemblywomen Swain, Reynolds-Jackson,
Assemblymen Calabrese, Benson, Assemblywoman Jimenez,
Assemblyman Verrelli, Assemblywomen McKnight, Lopez, Jasey,
Murphy, Lampitt, Downey and Assemblyman Tully**

SYNOPSIS

Requires public community water systems to provide customers with certain information regarding lead in drinking water.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning information on lead in drinking water and
2 supplementing Title 58 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. This act shall be known and may be cited as the “Lead
8 Education, Accountability, and Disclosure Act.”

9

10 2. As used in this act:

11 “Department” means the Department of Environmental Protection.

12 “New customer” means any residential, commercial, or
13 institutional customer who connects, reconnects, or establishes new
14 water service with, the public community water system after the
15 effective date of this act.

16 “Public community water system” means a public water system
17 which serves at least 15 service connections used by year-round
18 residents or regularly serves at least 25 year-round residents.

19 “Public water system” means the same as that term is defined in
20 section 3 of P.L.1977, c.224 (C.58:12A-3).

21 “Service line” means the pipe, tubing, and fittings connecting a
22 water main to an individual water meter or service connection.

23

24 3. a. The owner or operator of each public community water
25 system required to prepare a Consumer Confidence Report pursuant to
26 the “Safe Drinking Water Act Amendments of 1996,” 42 U.S.C. s.300f
27 et al., shall include in each report additional information on: the
28 possible sources of lead in drinking water, including, but not limited
29 to, lead service lines, pipes, and fixtures; the health effects of lead in
30 drinking water; and measures a customer can take to reduce or
31 eliminate lead in drinking water.

32 b. No later than 120 days after the effective date of this act, the
33 department shall publish a public notice in the New Jersey Register
34 and on its Internet website containing the additional information
35 required to be included in the Consumer Confidence Report pursuant
36 to this section.

37 c. The provisions of this section shall apply to the first Consumer
38 Confidence Report required to be prepared after the department
39 publishes the public notice required pursuant to subsection b. of this
40 section, and to each report prepared thereafter.

41

42 4. a. No later than 90 days after beginning water service to a new
43 customer, the owner or operator of a public community water system
44 shall send the new customer a notice, in writing, containing
45 information on: the possible sources of lead in drinking water,
46 including, but not limited to, lead service lines, pipes, and fixtures; the
47 health effects of lead in drinking water; and measures a customer can
48 take to reduce or eliminate lead in drinking water. If the public

1 community water system provides for, and the new customer has
2 requested, the ability to receive or access water bills in electronic
3 format, the public community water system shall also send the notice
4 required pursuant to this subsection in electronic format.

5 b. No later than 120 days after the effective date of this act, the
6 department shall publish a public notice in the New Jersey Register
7 and on its Internet website specifying the form and manner of the
8 notice required pursuant to subsection a. of this section, and the
9 specific information to be included in the notice.

10 c. If a public community water system serves a municipality in
11 which the primary language of 10 percent or more of the residents is a
12 language other than English, the owner or operator of the public
13 community water system shall provide the notice required pursuant to
14 subsection a. of this section in both English and the other language to
15 the new customer.

16 d. The owner or operator of a public community water system
17 shall not be required to provide the notice required pursuant to
18 subsection a. of this section until the department has published the
19 public notice required pursuant to subsection b. of this section.
20

21 5. a. At least 48 hours prior to commencing any construction,
22 maintenance, repair, or replacement of any lead service line or lead
23 water main, the owner or operator of a public community water system
24 shall provide a written notice, in a form and manner as determined by
25 the department pursuant to subsection b. of this section, to all
26 residential, commercial, and institutional customers and residents
27 served by the lead service line or lead water main. In the case of
28 emergency maintenance, repair, or replacement of a lead service line
29 or lead water main, the notice required pursuant to this section shall be
30 provided as soon as may be practicable, and the emergency work may
31 be commenced notwithstanding the provision of this subsection to the
32 contrary concerning prior notice.

33 The notice shall include, but need not be limited to:

34 (1) notification that the planned construction, maintenance, repair,
35 or replacement may loosen lead-containing particles in the water
36 distribution system and temporarily increase lead levels in the water
37 supply;

38 (2) the estimated length of time that lead levels may remain
39 elevated, as determined by the department;

40 (3) general information on the possible sources of lead in drinking
41 water, and the health effects of consuming lead-contaminated water;

42 (4) measures residents can take to reduce or eliminate their
43 exposure to lead in drinking water, including, but not limited to,
44 flushing water lines during and after completion of the work, removing
45 and cleaning faucet aerator screens, and installing a water filter or
46 water treatment device certified to remove lead in drinking water; and

47 (5) a recommendation that any lead service line serving the
48 property be fully replaced, if it is not already being fully replaced, and

1 a list of available resources to assist the property owner in conducting
2 a full lead service line replacement.

3 b. No later than 120 days after the effective date of this act, the
4 department shall publish a public notice in the New Jersey Register
5 and on its Internet website specifying the form and manner of the
6 notice required pursuant to subsection a. of this section, and the
7 specific information to be included in the notice.

8 c. If a public community water system serves a municipality in
9 which the primary language of 10 percent or more of the residents is a
10 language other than English, the owner or operator of the public
11 community water system shall provide the notice required pursuant to
12 subsection a. of this section in both English and the other language to
13 the residents.

14 d. The owner or operator of a public community water system
15 shall not be required to provide the notice required pursuant to
16 subsection a. of this section until the department has published the
17 public notice required pursuant to subsection b. of this section.

18
19 6. This act shall take effect immediately.
20
21

22 STATEMENT

23
24 This bill, to be known as the “Lead Education, Accountability,
25 and Disclosure Act,” would require public community water
26 systems to provide customers with certain information regarding
27 lead in drinking water.

28 The bill would require public community water systems to
29 include certain information on lead in drinking water in their annual
30 Consumer Confidence Reports, prepared pursuant to the federal
31 “Safe Drinking Water Act.” This bill would require the Consumer
32 Confidence Report to include information on: the possible sources
33 of lead in drinking water, including, but not limited to, lead service
34 lines, pipes, and fixtures; the health effects of lead in drinking
35 water; and measures a customer can take to reduce or eliminate lead
36 in drinking water.

37 Additionally, under the bill, within 90 days after beginning water
38 service to a new customer, a public community water system would
39 be required to send the new customer a notice, in writing,
40 containing the information on lead described above. If the public
41 community water system provides for, and the new customer has
42 requested, the ability to receive or access water bills in electronic
43 format, the public community water system would also be required
44 to send the notice in electronic format. As used in the bill, “new
45 customer” includes any new residential, commercial, or institutional
46 customer who connects, reconnects, or establishes new water
47 service with the public community water system after the bill is
48 enacted into law.

1 Lastly, the bill would require public community water systems to
2 notify all residential, commercial, and institutional customers and
3 residents at least 48 hours prior to commencing any construction,
4 maintenance, repair, or replacement of any lead service line or lead
5 water main. The bill provides that, in the case of emergency work,
6 this notice would be provided as soon as practicable, rather than 48
7 priors to commencing work. The notice would include, but not be
8 limited to, the following information:

9 (1) notification that the planned work may loosen lead-
10 containing particles and temporarily increase lead levels in the
11 water;

12 (2) the estimated length of time that lead levels may remain
13 elevated;

14 (3) general information on the possible sources of lead in
15 drinking water, and the health effects of consuming lead-
16 contaminated water;

17 (4) measures residents can take to reduce or eliminate their
18 exposure to lead in drinking water; and

19 (5) a recommendation that any lead service line serving the
20 property be fully replaced, and a list of available resources to assist
21 in any replacement.

22 For all three notice requirements, the bill would require the
23 Department of Environmental Protection (DEP) to publish a public
24 notice on its Internet website and in the New Jersey Register
25 specifying the information to be included in each notice. Public
26 community water systems would not be required to provide the
27 notices set forth in the bill until after the DEP publishes the public
28 notices.